

**General with NPCD Managers
April 25, 2019**

Decision/Action Items

- None

Update/Discussion Items

Priority Chemicals –

- **Manufacturers Request – DINP/DIDP**
 - **04/11/19** – OPPT sent letter to ACC stating that two requests were facially incomplete
 - OGC advises that ACC may submit, but representatives of manufacturers must certify; new requests certified by manufacturers soon

Lead –

- **CDC BLRV Notice**
 - CDC updating BLRV from 5 µg/dL to 3.5 µg/dL for children ages 1-5 years based on recent data from National Health and Nutrition Examination Survey (NHANES)
 - CDC requesting comment regarding the implications of this update for state and local health departments, health care providers, and clinical laboratories; will seek public comment to understand barriers or challenges related to implementation of the updated BLRV
 - OP is working with OMB to schedule a meeting with CDC to discuss CDC's revised notice and their responses to the interagency comments received; OPPT's role in this meeting?
- **Lead Hazard Standards**
 - **04/15/19** – Pre-interagency review briefing with OMB; rule package transmitted to OMB
 - **04/17/19** – Draft responses to OMB questions sent to OCSPP IO for review
 - **04/18/19** – Interagency review intro briefing
 - **06/17/19** – OMB review ends
- **HUD Lead Hazard Control Grant Programs and EPA RRP/Abatement Certifications**
 - HUD requested blanket enforcement discretion (by OECA) so its grantees that perform RRP-regulated "interim controls" will not have to obtain RRP certification; OECA does not believe that enforcement discretion warranted
 - HUD preparing paper to explain position and requested meeting at OD level with OPPT and OECA; OECA staff in discussions with HUD on whether meeting is necessary
- **OIG Discussion Document on RRP Evaluation**
 - Recommendations made for OCSPP & OECA
 - "EPA does not have an effective strategy to implement and enforce the lead-based paint rule"
 - OCSPP should update NPM guidance & establish annual commitment goals
 - **04/09/19** – OECA/OPPT met with OIG to provide comments on factual accuracy and discuss draft recommendations; draft report for review/written comments expected in 1-2 months

Formaldehyde –

- **Rules**
 - NPRM Technical Amendments
 - At OCSPP IO for review
 - ~~Rule Guidance Materials~~
 - * ~~Working on posting to HCHO website list of HTS codes with disclaimer~~
 - Proposed HUD Rule – Streamlining and Aligning Formaldehyde Emission Control Standards for Certain Wood Products in Manufactured Home Construction with Title VI of the Toxic Substance Control Act
 - * Public comment period closed 04/22; NPCD reviewed and has no comments

* Enforcement Issue

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* NPCD working with OECA and OGC on an enforcement case involving Turner Construction who imported cabinets fabricated from panels that are neither TSCA Title VI or CARB ATCM Phase II certified. The cabinets were allegedly fabricated using E1 certified panels; OPPT is requesting additional information from the panel manufacturer to determine formaldehyde emissions levels and to confirm certification to the E1 standards. This information will assist OECA in making enforcement-related decisions.

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• HCHO Rule Section 13 Import Certification

- OECA engaged in oversight of importer submissions to ACE; some compliance issues found (OECA following up, with NPCD assistance)

• Public Workshop on Laminated Products/Petition Process

- Working on schedule for fall public meeting (drafting agenda, FRN)
- AHFA asked to meet with NPCD (Erik) on 05/16 to discuss status

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• TPC Recertification

- TPC transition period ended 03/22/19; out of 36 previously EPA-recognized TPCs, 8 did not submit the required scope of accreditation documents
- Agency needs to discuss and agree on process for conducting hearings if requested by TPCs due to potential revocation of EPA recognition

PCBs –

• R3 PCB in Fill Dirt

- Jurisdictional filing extended to 05/20
- NPCD leading small workgroup to work through the issues with OGC, OLEM and Regions on options for settlement proposal (options in 4-6 weeks) for consideration by political leadership

Asbestos –

• Final SNUR

- Signed 4/17; in with OFR for publicationPublished in Federal Register on 4/25. Press largely positive and accurate; ADAO and other advocates however criticized the rule as insufficient, not being an asbestos ban.

• Technical Assistance on House Ban Bill

- HEC minority staff requested TA on draft bill (Merkley) to ban all asbestos and require EPA to assess legacy uses
- Held a call 04/11 and requested follow-up TA in writing; draft with IO for review as of 04/23
- Similar TA request for identical Senate companion bill

PBTs –

• General Updates

- 04/18/19 – Pre-interagency review briefing with OMB
- 04/19/19 – Rule package sent to OP for transmittal to OMB for interagency review
- 04/22/19 – Interagency review intro briefing
 - NASA not happy about Deca ban, lack of risk assessment, and expedited review
 - Several agencies request separating single final rule per chemical (5 rules), as directed by OMB
 - 60-day review will begin sometime this week (waiting for OBS to get the rule)

Mercury –

• Mercury Inventory Reporting Rule

- Mercury Electronic Reporting (MER) webinar PowerPoint and comms package re: overview of rule and reporting requirements at OCSPP IO; targeting late May for overview (NPCD) and live demo of application (IMD/CGI) webinars
- DOJ/EPA litigation reply brief submitted on 04/17

Division Director/Deputy Travel/Leave Schedule

- Tanya Mottley: CDO: 05/03, 05/17; AL: 05/06
- Brian Symmes: CDO: 4/26, 5/10

Division Presentation/Participation in Upcoming Conferences/Meetings

- May 28-29, 2019 – (Eva Cappuccilli) Lead Paint Alliance Regional Workshop for Governments / Abidjan, Ivory Coast
- June 12-13, 2019 – (Shayna Sellars) Lead Paint Alliance Regional Workshop for Governments / Panama City, Panama